ORDINANCE NO. 2

Series, 1964

AN ORDINANCE REGULATING AND PROVIDING FOR LICENSING OF TRAILER PARKS; PROHIBITING THE PARKING OF MOBILE HOMES AND VACATION TRAILERS OUTSIDE OF TRAILER PARKS, EXCEPT UNDER CERTAIN CONDITIONS AND WITH CERTAIN EXCEPTIONS; PROVIDING FOR THE STORING OF UNOCCUPIED MOBILE HOMES AND VACATION TRAILERS; PROVIDING TEMPORARY PARKING FOR OCCUPIED VISITOR'S TRAILERS; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE, AND DECLARING AN EMERGENCY.

The City of Elgin does ordain as follows:

Section 1. Definitions as Used in This Ordinance.

(a) "Trailer Park" means any privately owned place where two or more trailers used for human occupancy are parked within 500 feet of one another on a lot, tract or parcel of land under the same ownership.

(b) "Person" means any individual, firm, trust, partnership, association or corporation.

(c) "Mobile home" means a vehicle or structure constructed with wheels for use on the public highways, that has sleeping, cooking and plumbing facilities, is intended for human occupancy and is being used for residential purposes. It may be propelled by its own power or other power driven vehicle. Removal of the wheels shall not remove the mobile home from the meaning of this ordinance.

(d) "Vacation trailer" means a vehicle or structure equipped with wheels for highway use that is intended for human occupancy, is not being used for residential purposes and is being used for vacation and recreational purposes.

Section 2. Establishment of Trailer Parks. It shall be unlawful for any person to establish, maintain or operate a trailer park within the City Limits of the City of Elgin without a license to operate the same as herein provided.

(a) A person desiring to establish a trailer park within the City of Elgin shall make written application for a license to the Planning Commission of the City of Elgin, Oregon, accompanied with an application fee of $10.00, which said application fee shall be in addition to the annual license fee hereinafter provided for, requesting the Planning Commission's approval of said application and the Planning Commission's recommendation to the City Council that said license be issued.

(b) The application shall contain the name of the person desiring to establish, maintain or operate said trailer park, the number of parking units, the location and area of the proposed trailer park, the location and size of the parking units therein, the arrangement and location of sanitary, water and electrical facilities to be provided therein and such other information as the Planning Commission may require.

(c) Before recommending approval or disapproval of such application to the City Council, the Planning Commission shall:

(1) Determine that said application meets the standards of the Oregon State Board of Health and has the approval of the Union County Health Department and complies with the building, fire and electrical codes of the City of Elgin, Oregon.

(2) Call a public hearing to be held not less than two (2) weeks nor more than one (1) month after receipt of said application on the matter of granting or withholding approval of such application. At such hearing any person residing or owning real property within three hundred (300) feet of the proposed trailer park may be heard for or against said application, and the Planning Commission's recommendation of approval or disapproval of the granting of said license. Not less than ten (10) days prior to any such hearing, the City Recorder shall post or cause to be posted written notice of such hearing in three (3) conspicuous public places within the incorporated limits of Elgin; and shall cause to be published said notice for one (1) publication in a local newspaper of general circulation.

(d) The recommendation of the Planning Commission either approving or disapproving the application shall be transmitted to the City Council to be considered by the City Council at its next regular meeting held thereafter, and any person or persons who desire to appear for or against the Planning Commission's recommendation shall appear before the City Council at that time. The City Council may, in its discretion, accept or reject the Planning Commission's recommendation.

Section 3. Additional Licensing Provision.

The same procedure for obtaining a license to establish a trailer park shall be followed before the number of parking units in any such camp may be increased and before the re-establishment of any trailer park which has been discontinued and not in operation for a continuous period of six (6) months or more.

(a) Any trailer park existing prior to the passage of this ordinance shall be granted a license upon proper application therefor to the City Council of the City of Elgin and be allowed to operate without the necessity of making application to the Planning Commission provided it meets the requirements of the laws of the State of Oregon covering tourist camps and the rules and regulations of the Oregon State Board of Health and the Union County Health Department pertaining thereto and that it complies with the building, fire and electrical codes of the City of Elgin.

(b) When a trailer park has been licensed, it shall not be necessary for the owner or operator of said trailer park to apply to the Planning Commission for renewal of said license, unless said owner or operator desires to make any changes as hereinabove provided, but the said owner or operator may make application directly to the City Council for the renewal of said license.

Section 4. Annual License Fee.

The annual license fee for trailer parks shall be the total of the sum computed by multiplying the trailer spaces at the rate of $5.00 each.

Section 5. Parking Outside of Trailer Parks.

Except as hereinafter provided, it shall be unlawful for any person to place, keep or maintain, or permit to be placed, kept or maintained, any mobile home or vacation trailer on any lot, piece or parcel of land within the City of Elgin, Oregon, outside the boundaries of a duly established and licensed trailer park.

Section 6. Trailer Sales Lots.

Each trailer sales lot within the City Limits of the City of Elgin, Oregon, shall be allowed to park not more than one mobile home, to be used for living purposes on said sales lot, providing that said installation complies with the standards of the Oregon State Board of Health and the Union County Health Department as to adequate sanitation and complies with the building, safety, fire and electrical codes of the City of Elgin, Oregon.

Section 7. Parking of Occupied Mobile Homes Outside of Trailer Parks.

It shall be unlawful for any person to place, keep or maintain, or permit to be placed, kept or maintained, any occupied mobile home on any lot, piece or parcel of land within the residential district of the City of ~~Union~~ Elgin, Oregon, outside the boundaries of a duly established and licensed trailer park, unless the following provisions are complied with:

(a) Payment to the City Recorder of an annual license fee of $5.00, which shall be renewed on or before each of the following years thereafter.

(b) The legal owner of a lot may allow the parking of one mobile home on that lot providing the area requirements as set forth in Ordinance No. 11 Series, 1963, are met, and further providing the said owner presents a petition to the City Recorder containing the signatures of 70% of the property owners owning real property within three hundred (300) feet of the lot approving said parking.

(c) A building permit must be obtained from the City of Elgin if a permanent type foundation is put under the trailer or any additions are made to the trailer.

(d) That the installation of the mobile home and construction of any auxiliary storage, recreation and/or other buildings shall comply with local building ordinances, electrical, sanitation and plumbing codes, the rules and regulations of the Oregon State Board of Health, directives of the Fire Chief and requirements of other agencies when applicable, except that there shall be no necessity of complying with any square foot per occupant requirement; the mobile home and any auxiliary buildings shall comply with the requirements of Ordinance No. 11, Series 1963, of the City of Elgin regarding setback, side and back yard requirements; no lean-to or addition to mobile homes shall be constructed so that two or more enclosed walls extend over or block any of the exit doors of the mobile home.

(e) Each occupied mobile home as above described shall have its own separate water connection and water meter.

(f) Each occupied mobile home as above described shall have its own separate sewage disposal facilities.

Section 8. Unoccupied Mobile Home.

The owner, lessee or occupant of any parcel of real property within the City of Elgin, Oregon, shall not permit any unoccupied mobile home to be stored upon said parcel of real property until such owner, lessee or other occupant of said real property first obtains a permit to do so from the City Recorder of the City of Elgin, Oregon. A permit for storing said unoccupied mobile home shall be valid for a period of one year, or the balance of the year beginning January 1 and ending December 31, and must be renewed on or before the 15th day of January of each year.

A permit for the storage of an unoccupied mobile home shall be issued by the City Recorder providing the following conditions are complied with:

(1) Payment to the City Recorder of the sum of $5.00.

(2) That the mobile home shall not be stored upon the front yard of any residence within the residential zones of the City of Elgin, Oregon.

(3) That the mobile home shall not be stored closer than five (5) feet to the property line, when said mobile home is stored upon the side yard of any residence within the residential zones of the City of Elgin, Oregon.

(4) That the mobile home shall not be stored upon any dedicated street or alley, and such trailer shall not block any driveway, alley, service entry or sidewalk.

Section 9. Permit to Temporarily Park a Visitor's Mobile Home or Vacation Trailer.

The owner, lessee or occupant of a parcel of real property within the City of Elgin, Oregon, upon which a visitor's movile home or vacation trailer is to be parked, must first obtain a permit to allow said parking from the City Recorder of the City of Elgin, for parking for a period of time in excess of four (4) days, before allowing the same. The applicant for a permit shall designate the name of the owner of the mobile home or vacation trailer, its make and vehicle license number, the street address and name of the occupant of the property upon which said visitor's mobile home or vacation trailer shall be parked.

A permit for the temporary parking of an occupied visitor's mobile home or vacation trailer shall be issued by the City Recorder of the City of Elgin providing that the following conditions are complied with:

(1) The mobile home or vacation trailer shall not remain upon the same parcel of real property within the City of Elgin, Oregon, more than thirty (30) days and at any one time during any one year.

(2) The mobile home or vacation trailer shall not be parked upon any dedicated street or alley and shall not block any driveway, alley or service entry or sidewalk.

(3) The mobile home or vacation trailer shall not be parked closer than five (5) feet to the property line when it is parked upon the side yard of any residence within the residential zones of the City of Elgin, Oregon.

(4) The mobile home or vacation trailer shall be used for sleeping purposes only. The occupants of the mobile home or vacation trailer shall not use the cooking and/or sanitary facilities of said mobile home or vacation trailer while it is so temporarily parked.

(5) There shall be no electrical connection to the mobile home or vacation trailer while it is so parked.

(6) That a fee of One Dollar ($1.00) shall be paid to the City Recorder for each permit issued.

Section 10. Non-Transferability of Permits.

The permits provided for under this ordinance shall not be transferable.

Section 11. Liability of Owner or Occupant of Stored or Parked Mobile Home or Vacation Trailer.

In the event that any person stores or parks a mobile home or vacation trailer on real property within the City Limits of the City of Elgin, Oregon, without the consent or knowledge of the owner, lessee or occupant of said real property, the owner of, or the person who caused said mobile home or vacation trailer to be parked or stored on said real property shall be in violation of this ordinance and shall be subject to the penalties hereinafter provided.

Section 12. Non-Issuance of Permit.

No permit for the storage or temporary parking of any mobile home or vacation trailer shall be issued by the City Recorder except upon application by the owner, lessee, or occupant of real property on which said mobile home or vacation trailer is to be stored or temporarily parked.

Section 13. Existing Occupied Mobile Homes.

Any occupied mobile home which is presently parked on any lot, piece or parcel of land within the City of Elgin, Oregon, which is in compliance with the standards set by the Oregon State Board of Health and the Union County Health Department, and conforms to Ordinance No. _____, Series 1963 of the City of Elgin, and to the building, safety, fire and electrical codes of the City of Elgin, Oregon, shall not be in violation of the provisions of this ordinance. All existing mobile homes not parked in trailer courts should register with the City Recorder within ten (10) days after the passage of this ordinance.

Section 14. Parking or Storing of Vacation Trailers.

No owner, occupant or lessee of a parcel of real property within the City of Elgin, Oregon, shall park, store or permit the parking or storage of any vacation trailer upon said parcel of real property unless said parking and/or storage complies with the following conditions:

(1) The vacation trailer shall not be parked or stored upon the front yard of any residence or other building within the residential zones of the City of Elgin, Oregon.

(2) The vacation trailer shall not be parked or stored closer than ten (10) feet from any building located on adjoining property when said vacation trailer is parked or stored upon the side yard of any residence within the residential zones of the City of Elgin, Oregon.

(3) The vacation trailer shall not be parked or stored upon any dedicated street or alley and shall not block any driveway, alley or service entry or sidewalk.

Section 15. Severability Clause.

If any section, sub-section, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity or constitutionality of the remaining portions hereof.

Section 16. Penalties.

Any person violating any of the provisions of this ordinance shall upon conviction thereof in the Municipal Court of the City of Elgin, Oregon, be punished by a fine not exceeding $300.00 or by imprisonment in the City Jail for a period of time not exceeding thirty (30) days or by both such fine and imprisonment.

Section 17. Emergency Clause.

Inasmuch as this ordinance is necessary for the immediate preservation of public health, peace and safety to the City of Elgin in that there are many mobile homes and vacation trailers coming into this city and there are no proper places for their accommodation and regulations are needed; therefore, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after the date of its passage by the Council and approval by the Mayor of the City of Elgin, Oregon.

Adopted this 11th day of February, 1964.

Approved this 11th day of February, 1964.

Floyd C Speiker
Mayor

Attested and filed this
11th day of February, 1964.

Ethel Hunt
City Recorder